

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**LEKESHA MARIE ROBINSON,**

Plaintiff,

**v.**

**Case No. 19-CV-906**

**MILWAUKEE COUNTY JAIL,**

Defendant.

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**ORDER**

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Plaintiff LeKesha Marie Robinson, who is representing herself, filed a complaint under 42 U.S.C. § 1983. On August 20, 2019, the court denied her motion to proceed without prepaying the filing fee and ordered her to pay the \$400 filing fee by September 9, 2019. On September 10, 2019, the court extended her deadline to pay the filing fee to October 11, 2019. The court warned Robinson that, if she did not pay the filing fee by the deadline, the court would dismiss her case without prejudice.<sup>1</sup>

On that due date, Robinson did not pay the filing fee and instead requested additional time to pay the fee. (ECF No. 15.) She alleged that her fiancée would have the funds to pay the fees and “guarantee[d]” that she would pay the full filing in this case and her other case pending before this court by November 15, 2019. (*Id.*) That


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<sup>1</sup> The court notes that the Milwaukee County Jail is the only defendant. The jail is not a “person” under § 1983, and therefore cannot be sued. *See Smith v. Knox County Jail*, 666 F.3d 1037, 1040 (7th Cir. 2012). Because it cannot be sued, it is not capable of consent. As a result, Robinson is currently the only “party,” and the court has her consent. *Cf. Coleman v. Labor & Indus. Review Comm’n*, 860 F.3d 461 (7th Cir. 2017).

self-imposed deadline has come and gone, and still Robinson has not paid the filing fee.

**IT IS THEREFORE ORDERED** that this case is **DISMISSED without prejudice** based on Robinson's failure to pay the filing fee. The Clerk of Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin this 22nd day of November, 2019.

  
WILLIAM E. DUFFIN  
U.S. Magistrate Judge